

### REMARKS

Claim 17 has been amended to more particularly define Applicants' invention. Support for the amendment to Claim 17 is found on page 15, second paragraph.

#### 35 U.S.C. § 102 Rejections

Claims 17 - 21, 25 - 29, 33, and 34 are rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. 5,520,841 issued to Block et al. for the reasons of record stated on page 2 of the Office Action.

Block et al. purports to relate to a composition and process for producing a storable, pumpable alkaline cleaning concentrate. However, Block et al. does not disclose an ultrasonic cleaning composition which is *inter alia* low foaming, has an inter facial tension of from about 10 mNm<sup>-1</sup> to about 0.0001 mNm<sup>-1</sup>, is substantially free of antifoaming agents, and includes a nonionic surfactant system which includes at least one nonionic surfactant having a cloud point greater than 60°C which has an HLB value from about 9 to about 15 and at least one nonionic surfactant having a cloud point less than 10°C.

Hence, Claims 17 - 21, 25 - 29, and 33 - 34 of the instant invention are not anticipated by Block et al.

Claims 17 - 21, 25 - 29, and 33 - 34 are rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. 5,612,305 issued to Lewis for the reasons of record stated on page 3 of the Office Action.

Lewis purports to relate to a dishwashing detergent which is a mixture of a low-foaming nonionic surfactant and a high-foaming nonionic surfactant. However, Lewis does not disclose an ultrasonic cleaning composition which *inter alia* has an inter facial tension of from about 10 mNm<sup>-1</sup> to about 0.0001 mNm<sup>-1</sup> and includes a nonionic surfactant system which includes at least one nonionic surfactant having a cloud point greater than 60°C which has an HLB value from about 9 to about 15 and at least one nonionic surfactant having a cloud point less than 10°C. Hence, Claims 17 - 21, 25 - 29, and 33 - 34 of the instant invention are not anticipated by Lewis.

As it is believed that the rejections of Claims 17 - 21, 25 - 29, and 33 - 34 under 35 U.S.C. §102 are overcome, Applicants respectfully request that these rejections be reconsidered and withdrawn and the claims allowed.

#### 35 U.S.C. §103 Rejections

Claims 17 - 22 and 25 - 34 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lewis in view of U.S. 5,612,305 issued to Evans for the reasons of record stated on pages 3 and 4 of the office Action.

As indicated above, Lewis purports to relate to a dishwashing detergent which is a mixture of a low-foaming nonionic surfactant and a high-foaming nonionic surfactant. Evans purports to relate to a dishwasher apparatus and method for cleaning kitchen and dining ware.


However, Lewis in view of Evans does not disclose an ultrasonic cleaning composition which has *inter alia* an inter facial tension of from about  $10 \text{ mNm}^{-1}$  to about  $0.0001 \text{ mNm}^{-1}$  and includes a nonionic surfactant system which includes at least one nonionic surfactant having a cloud point greater than  $60^{\circ}\text{C}$  which has an HLB value from about 9 to about 15 and at least one nonionic surfactant having a cloud point less than  $10^{\circ}\text{C}$ . Hence, Claims 17 - 22 and 25 - 34 are not obvious over Lewis in view of Evans. Applicants respectfully request that the rejection of Claims 17 - 22 and 25 - 34 over Lewis in view of Evans be reconsidered and withdrawn and the claims allowed.

**SUMMARY**

This is an RCE responsive to the final Office Action dated September 23, 2005. Authorization is provided to charge any fees associated with this response to Deposit Account No.: 16-2480. As the rejections under 35 U.S.C. §102 and 35 U.S.C. §103 have been overcome, Applicants respectfully request these rejections be withdrawn and the claims allowed.

Respectfully submitted,  
FOR: JEAN-FRANCOIS BODET ET AL.;

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